Gymnastics Ethics Foundation Annual Report 2020





Gymnastics Ethics Foundation

Annual Report 2020



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President's Message

The Foundation has been extremely active in its second year of operation. Since 2019, it has dealt with 62 cases. About 25 cases were opened by the Foundation in each of 2019 and 2020. The large majority of cases fall under the Foundation's Safeguarding Section, which includes reporting and investigations.

Every case provides us with a greater understanding of the issues at play in a given environment, including a gymnast's club, family and National Federation. As the Foundation is becoming better known, and in light of the growing global awareness around safeguarding in gymnastics, we anticipate the number of cases will increase. The Foundation's staff is today composed of three highly dedicated part-time members. The core team calls upon outside specialists for specific investigations. Last year, the Foundation Council appointed a number of new members to its disciplinary bodies.

In the context of the airing of topical documentaries, the COVID-19 pandemic, and perhaps in part due to a slowdown in the competition calendar, athletes found their voice. 2020 was a momentous year that drew attention to non-accidental violence in gymnastics. We strongly believe that this awareness is essential to bringing about positive and lasting change.

The Foundation was asked last year to comment on the independent review mandated by the Swiss Gymnastics Federation, and later to provide input to the Swiss federal government's effort to reform its sports framework and reporting mechanisms. The Foundation contributed to relevant know-how from experts in sports medicine, physiotherapy, psychology and nutrition. We hope that these contributions can lead to best practices that all can ultimately benefit from.

Of course, our attention and activities have been broad and global. The widespread viewing of documentaries such as *Athlete A* led gymnasts worldwide who have suffered or witnessed mistreatment, to express themselves on social media. With hashtags such as #gymnastsalliance and #gymnastsforchange, this was truly a "#Metoo" moment for gymnastics. Mainstream media paid attention, and we responded to news outlets in several countries. The conversation that began in 2020 continues, and the Foundation intends to examine the learning from the numerous independent national enquiries that were launched during the year. We can already highlight that progress is needed to varying extents in organizational culture, coaching, athlete experience, governance and the handling of complaints and investigations.

We are paying close attention to national efforts to improve safeguarding measures and are ready to provide support wherever we can. On behalf of the Foundation Council, I thank the gymnastics community for the trust placed in us to work towards a sport that is free of unnecessary harm.

Micheline Calmy-Rey, President

The Foundation and its Mission

Established by the Fédération Internationale de Gymnastique ("FIG") in December 2018, the core mission of the Gymnastics Ethics Foundation ("Foundation" or "GEF") is to safeguard athletes and participants in gymnastics from harassment and abuse, strengthen the accountability and good governance of the FIG and to manage disciplinary proceedings. As such, the Foundation's activities are focused on the following three main areas:

Safeguarding

The Foundation aims to ensure that adequate and effective safeguarding policies and procedures have been put in place by the National Federations at the national level. In the event of an alleged violation of FIG rules and procedures, gymnasts or other participants may file reports of harassment or abuse via the Foundation's website (www.gymnasticsethicsfoundation.org/reporting), by telephone or by email.

Reports are treated as confidential and whistle-blowers may submit reports anonymously. Each report received by the Foundation is assessed and if, following an investigation, an alleged violation is established, disciplinary proceedings may be initiated before the Disciplinary Commission (see Appendix A for an overview of the procedure).

The Foundation also works closely with the FIG Safeguarding Unit to promote educational safeguarding measures at both the national and international levels.

Disciplinary

As part of its disciplinary function, the Foundation carries out disciplinary proceedings for alleged violations of FIG policies and procedures. Decisions rendered by the Disciplinary Commission may be appealed to the Appeal Tribunal.

Following the creation of the Foundation, the FIG Disciplinary Commission and the Appeal Tribunal, together with their disciplinary functions, transitioned to the Foundation. After an initial transition period that ended on 31 December 2020, the Foundation Council appointed in October new members of the Disciplinary Commission and the Appeal Tribunal for a four-year term beginning on 1 January 2021. In October 2020, the FIG Executive Committee took the decision that matters relating to anti-doping violations would be dealt with by the Court of Arbitration for Sport Anti-Doping Division ("CAS ADD") effective 1 January 2021.

Compliance

The Foundation is also responsible for overseeing the FIG's compliance with its rules, policies and procedures, the IOC Code of Ethics and the World Anti-Doping Code and its International Standards. As part of its efforts to improve good governance, the FIG regularly participates in governance reviews conducted by the Association of Summer Olympic International Federations ("ASOIF").

The Foundation's role is also to provide guidance and recommendations on ethical issues to the FIG, its authorities and members.

Key Developments in 2020

7 January

Foundation Council member Slava Corn is honoured in Canada for "her contributions to the discipline of gymnastics as a judge, administrator and volunteer who has helped advance the sport in Canada and abroad".

5 March

Third meeting of the Foundation Council in Lausanne. Key discussion points include the need to increase GEF awareness and visibility, updates on current developments, GEF core activity areas and financial accounts. The Council approves the selection process for appointing the new members of the Disciplinary Commission and Appeal Tribunal for the upcoming 2021–2024 term and the members of the Case Management Group.

19 March

Disciplinary Commission decision annuls FIG decision taken against Artistic Gymnastics judge M. Ezouhri (MOR) and recommends that a verification process is implemented to ensure that the FIG has a minimum degree of certainty that a judge's right to be heard has been duly respected before a FIG brevet is withdrawn.

March - April

The Foundation launches the selection process for the new members of the Disciplinary Commission and Appeal Tribunal. National Federations are invited to present candidates.

30 April

In a public statement following the suspension of the former US national coach M. Haney by a Safe Sport hearing panel in the United States, the FIG reminds the gymnastics community that the Foundation was established to encourage victims to speak out without fear.

16 June

The Foundation's establishment contributes to the FIG's progress in ASOIF's Third Review of IF Governance as a step towards "a clearer separation of powers".

17 June

Fourth Foundation Council meeting is held virtually due to COVID-19 restrictions. After approving the Foundation's audited financial accounts, the Council discusses the results of the FIG Safeguarding Survey of the measures implemented to date by National Federations and ASOIF's Third Review of IF Governance, as well as the website redesign project.

24 June

Athlete A documentary is released. The documentary focuses on the USA Gymnastics abuse scandal, casting a harsh light on the prevailing culture and reminding of the importance of the Foundation's core mission. A spike in safeguarding reports in various countries is observed in the following months.

7 July

The Foundation confirms that it is closely monitoring recent developments in rhythmic gymnastics at the Swiss Gymnastics Federation following widely reported allegations of verbal abuse and harsh training conditions by gymnasts.

The GEF President issues a statement regarding recent reports of abuse within British Gymnastics by media and athletes, reminding that under FIG rules, National Federations are responsible for implementing policies and procedures for safeguarding and protecting participants in gymnastics from harassment and abuse.

29 July

Disciplinary Commission decision sanctions the athlete C. Lopes Gomes (BRA) for

29 July Disciplinary Commission decision sanctions the athlete C. Lopes Gomes (BRA) for anti-doping violations.

8 September The GEF Director speaks at the European Gymnastics webinar "Towards a Positive Gym Culture"; the Foundation reiterates its support to National Federations.

9 September The Foundation publishes its first annual report summarizing the key activities of its first full year of operation.

17 September The FIG Executive Committee approves the 2021 FIG Anti-Doping Rules with a significant change in the results-management process: starting from 2021, anti-doping cases will be heard by the Court of Arbitration for Sport's Anti-Doping Division ("CAS ADD"), allowing the Foundation to focus on its core safeguarding and compliance missions.

9 October Fifth meeting of the Foundation Council is held virtually. After appointing the new members of the Disciplinary Commission and Appeal Tribunal, the Council takes note of the FIG Executive Committee's decision to transfer all doping cases to the CAS ADD and is updated on the current status of ongoing cases and the numerous communications activities and interviews aimed at increasing the Foundation's visibility.

26-27 October The GEF President gives opening remarks and the GEF Director takes part in the FIG e-Conference, an online event organised for all National Federations by the FIG in cooperation with the Foundation, to address cultural change and reinforce safeguarding in gymnastics.

29 October Disciplinary Commission decision sanctions rhythmic gymnastics judge J. Zajoncova (CZE) with a warning for having violated FIG rules.

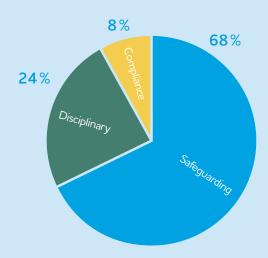
20 November The Foundation announces the appointment of the new members of its Disciplinary Commission and Appeal Tribunal for the upcoming 2021-2024 term.

11 December Onboarding meeting for new Disciplinary Commission and Appeal Tribunal members held virtually due to COVID-19 travel restrictions.

Disciplinary Commission decision dismisses a complaint against the Hungarian Gymnastics Federation and I. Draskoczy (HUN), the head coach of the Hungarian national team in Women's Artistic Gymnastics.

Overview of Cases in 2020

	Safeguarding	Disciplinary	Compliance
January			
February		3	
March			
April	1		
May			
June	1		
July	6		1
August	1	2	1
September	3		
October	1		
November	3	1	
December	1		
Totals	17	6	2
Total cases			25



Chrono evolution by section.

Gymnastics' "#MeToo" Moment

As the gymnastics community continued to deal with the aftershocks of the sexual abuse scandal within USA Gymnastics, two key documentaries were released that further reveal to the public the dark backstage of gymnastics and the recurrent abusive practices in the sport.

Athlete A (released 24 June 2020, on Netflix) is an American documentary film directed by Bonni Cohen and Jon Shenk. The documentary follows a team of investigative journalists from The Indianapolis Star as they broke the story of Dr Nassar who sexually assaulted young female gymnasts and the subsequent allegations against USA Gymnastics and its top leadership.

The Weight of Gold (released 29 July 2020, on HBO) directed by Brett Rapkin, is an HBO sports documentary exploring the mental health challenges that Olympic athletes often face. The film is released during a time when the COVID-19 pandemic has led to the postponement of the 2020 Tokyo Games — the first such postponement in Olympic history.

The two films come after two earlier documentaries *Over the Limit* (30 November 2018, directed by Marta Prus) and *At the Heart of Gold: Inside the USA Gymnastics Scandal* (26 April 2019, released on HBO).

Following these alarming revelations, gymnasts begin to voice their concerns and personal experiences on social media. Some join together to form common platforms, such as the #GymnastAlliance and Gymnasts for Change. These movements are compared to the #MeToo movement; through such social media action, many athletes have begun to speak out and break the curtain of silence that has prevailed in the world of gymnastics. Investigative journalism shines a light on problematic practices in a number of countries.

In response, numerous National Federations undertake to initiate independent reviews and investigations, such as in Australia, Belgium, Germany, Great Britain, the Netherlands, New Zealand and Switzerland.

The Impact of COVID-19

The year 2020 was disruptive in many aspects for the gymnastics community. In addition to the airing of the **Athlete A** documentary and the many allegations of abuse that surfaced, it was also greatly impacted by the COVID-19 pandemic, which led to the postponement of the 2020 Tokyo Games.

In terms of reports filed, the Foundation did not identify any marked changes other than a decrease in the number of reports submitted between the months of March and June, which roughly coincides with the time when about half of the world's population was under some form of lockdown.

The Foundation continued to operate throughout the whole year with staff working remotely. 5 March 2020 marked the last in-person meeting held by the Foundation Council in 2020. Disciplinary Commission hearings have also been conducted exclusively by videoconference since March 2020. Likewise, the onboarding meeting of the new members of the Disciplinary Commission and Appeal Tribunal was held by videoconference.

Communications

The Foundation considers communications to be an important part of its work in raising awareness about safeguarding and a key means of building trust and credibility. Only if participants in gymnastics are aware of the Foundation can they make use of its services. In 2020, it undertook several steps to increase its visibility, highlighting the need to change the existing culture and abusive practices widespread in gymnastics, and at the same time bringing to light the possible solutions for changing the status quo.

The Foundation's 2020 communications at a glance

March – December 12 news blog publications on www.gymnasticsethicsfoundation.org.

June Complete redesign of www.gymnasticsethicsfoundation.org.

July – December 9 media interviews.

September First Annual Report published.

October World of Gymnastics magazine features interview with GEF President and is

sent to all National Federations and other key stakeholders, together with the

GEF 2019 Annual Report.

November GEF LinkedIn account is set up.

Media interviews

22 July ITV News/ITN (UK) interview about the mission and role of the Foundation and the

situation of British Gymnastics.

24 July BBC (UK) interview about the mission and role of the Foundation and the situation of

British Gymnastics.

4 August Tamedia (Sport Dimanche and 24 Heures, CH) interview about the culture in

gymnastics and the situation in Switzerland.

20 August Podcast "The Ticket" / ABC News Australia interview about the culture in gymnastics,

the issue of abuse and the situation in Australia.

5 September Le Temps (CH) interview about the culture in gymnastics, the Foundation's role and

the situation in Switzerland.

24 September Tages-Anzeiger/Das Magazin (CH) interview about the situation in Switzerland and

the gymnasts' experiences in Magglingen.

29 September RTS Radio (CH), "Temps Présent" interview about the situation in Switzerland and the

culture of fear in the sport.

8 November Blick (CH) interview about the situation in Switzerland, the responsibilities of National

Federations and the Foundation's role.

25 November The Straits Times (Singapore) interview about harassment and abuse in gymnastics.

the Foundation's role and the responsibilities of National Federations.

Presentations

8 September European Gymnastics webinar "Towards a Positive Gym Culture".

26-27 October FIG e-conference on finding solutions to ensure a positive culture and a safe training

environment.

3 December Portuguese Gymnastics Federation's 8th National Congress, "How to create a

mentality for identifying abuses?".

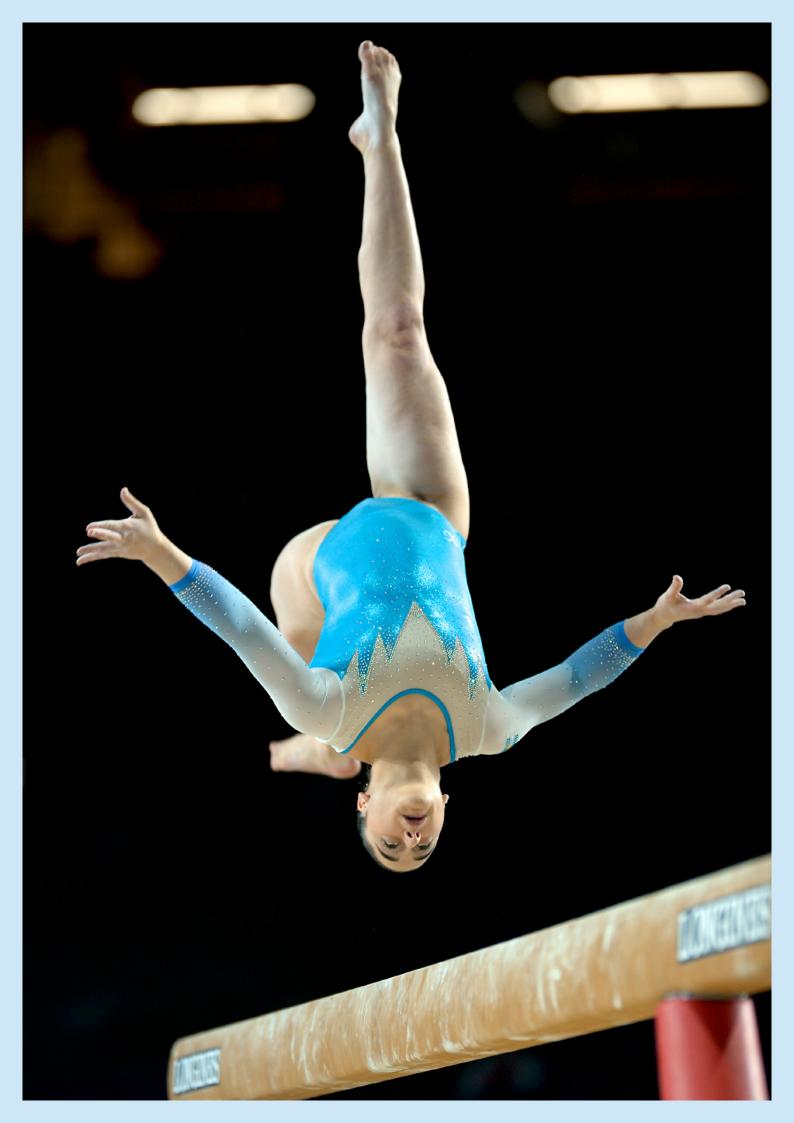


Moving Forward

Drawing upon the experience gained from its two full years of operation, the Foundation will continue in its mission to advance positive cultural change and ensure the safeguarding of gymnasts. Gymnasts are coming forward and with the publication of the results of the independent reviews undertaken in several National Federations, it can be expected that the number of cases will likely continue to rise. In order to address this increasing demand and to continue to carry out its mission, the Foundation will likely need to explore additional sources of funding.

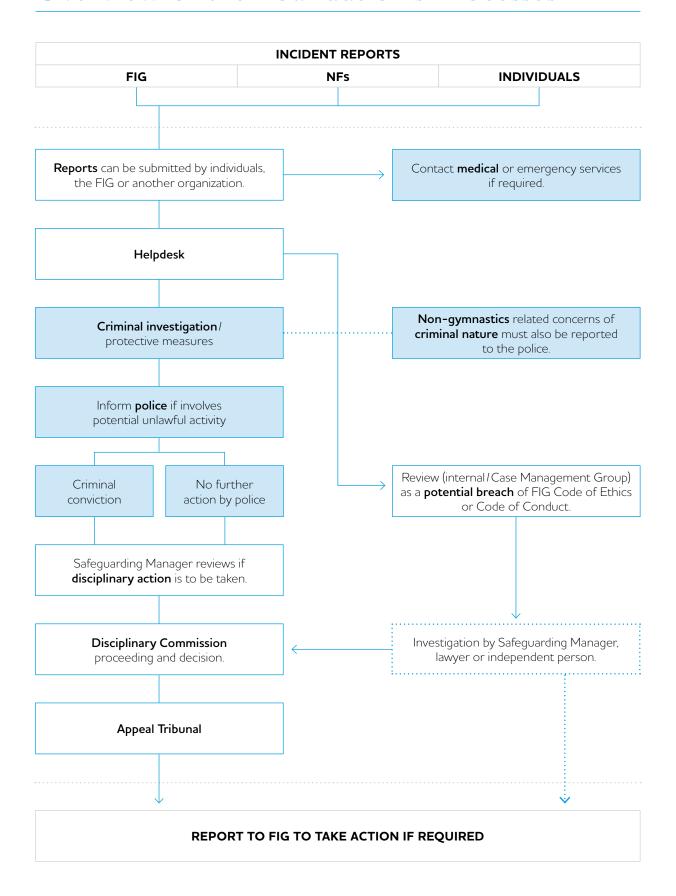
Analysis of the reports submitted to date underscore that abusive behavior is not localized to a particular geographic region nor is any particular form of mistreatment, such as sexual abuse. The patterns of problematic practice cover both physical and psychological abuse, including negligence. These forms of harassment and maltreatment are usually more difficult to decipher and yet they often cause long-lasting psychological and physiological damage.

It has become increasingly clear that the general culture within gymnastics needs to change. This change cannot come from just the coaches or the national officials, but rather it needs to be embraced by all, by each and every participant. Only through the common action of each participant within the sport will progress in safeguarding be achieved. To this end, the Foundation will continue working closely not only with the FIG and the National Federations, but also by engaging with key partners, international organizations and specialized agencies, with the aim of ensuring that the shift in culture moves ahead.



Appendix A

Overview of the Foundation's Processes



Appendix B

Meet the Foundation's Team

Management

ALEXANDER MCLIN, Director

Attorney at Law
Former Executive Director, ASA —
Swiss Arbitration Association
Former CEO & Secretary General, FEI
Member, Court of Arbitration for Sport
Member, ASOIF Governance Task Force

Safeguarding & OperationsExperienced lawyer and project

MARTINA COXOVA, Manager

Experienced lawyer and project coordinator with a particular interest in ethics and governance

Operations

STEPHANIE TISCHHAUSER, Assistant Project Manager

Council

MICHELINE CALMY-REY, President

Former President, Federal Councillor, and Minister of Foreign Affairs of the Swiss Confederation

FRANÇOIS CARRARD, Member

Doctor of Law Former IOC General Director

SLAVA CORN, Member

Honorary Vice President, FIG

Auditor

FIDUCIAIRE SAUGY SA, Saugy SA is a member of EXPERTsuisse and has federal accreditation as an auditor.

www.fiduciaire-saugy.ch

IVANA HONG, Member

Senior International Elite Athlete and Athlete Representative, USA Gymnastics

HRH FEISAL AL HUSSEIN, Member

President, Jordanian Olympic Committee Member, IOC Executive Board

Appendix C

Members of the Foundation's Disciplinary Commission and Appeal Tribunal

Disciplinary Commission

The functions of the Disciplinary Commission are mainly to:

- Request statements from the parties or independent experts.
- Conduct hearings.
- Investigate and make decisions in disciplinary cases under its authority.
- Impose disciplinary sanctions.

Members

Victor Berezov

Borys Boguslavskyy

Michelle Duncan

Paul Engelmann

Kate Gallafent

Maximilien Lehnen

Daniele Moro

Mohamed Rached Gharbi

Matthias Scherer

Bernhard Welten

On 20 November 2020, the Foundation announced the appointment of the new members of its **Disciplinary Commission** and **Appeal Tribunal** for the upcoming 2021-2024 term.

Appeal Tribunal

The functions of the Appeal Tribunal are to:

- Hear and decide the appeals lodged by any federation, gymnast, judge, or other person directly affected by a decision of the Disciplinary Commission, the FIG Congress, or the GEF Council.
- Hear and decide appeals against sanctions imposed during competitions (as provided for under the FIG Statutes).

Members

Mehman Aliyev Renata Loss Campana Rafael Resende De Andrade Dhruba Bahadur Pradhan George C. Stewart

Appendix D

Frequently Asked Questions

What is the role of the Foundation in relation with the FIG?

The Foundation was established by the FIG to deal with alleged breaches of FIG rules. The aim is to enable anyone to report any form of rule infringement or harassment and abuse, and to provide a safe, confidential mechanism to doing so. In this context, the Foundation also acts as an independent decision-making body for the sport of gymnastics ensuring that any concerns and reports are addressed and assessed fairly and efficiently.

How does the Foundation address the culture of fear and bullying in gymnastics?

The fear of speaking out and of retaliation is one of the biggest obstacles to tackling the prevailing culture of fear and bullying in the sport. By providing a confidential reporting mechanism that allows athletes and participants to safely report these issues, the Foundation directly addresses the root of the problem. Moreover, the Foundation has a Safeguarding Section that is designed to provide support and protection to victims, whistle-blowers and witnesses, and to assist any participant in gymnastics who experiences harassment and abuse.

What has the Foundation done to raise awareness?

The Foundation devotes a great deal of efforts to raising awareness about the issues prevalent in the current culture of gymnastics. Sadly, harsh training practices are often seen as the best way, if not the only means, to achieve results. Changing such perceptions starts with raising awareness of the issue, but also requires bringing to light possible solutions for doing so. As part of strengthening its communications strategy, the Foundation has participated in several conferences and interviews to help promote a positive discussion and find solutions.

How does the Foundation collaborate with the FIG?

Without compromising its independence, the Foundation works with the FIG in furtherance of the same goal: a sport free of non-accidental violence. Whilst the reports submitted to the Foundation are kept confidential, the outcomes of formal proceedings are reported to the FIG for publication and implementation. The Foundation also supports the FIG Safeguarding Unit in terms of education and prevention.

What is the role of the Foundation in relation to the National Federations?

The National Federations are the competent authority to deal with matters that are internal to their Federation. In addition, they are responsible for implementing policies and procedures for safeguarding and protecting participants in gymnastics from harassment and abuse. Only when a National Federation fails to build such capacity or apply appropriate procedures will the matter be referred to the Foundation. The Foundation may also be called upon to provide guidance to the National Federations regarding the application of ethical principles and good governance.

What are the Foundation's human resources?

The Foundation consists of a small and dedicated team whose activities are guided by the Foundation Council. In addition, the Foundation maintains a list of eligible experts who are members of the "Case Management Group" and who may be called upon when a case requires specific expertise in a particular matter. The Foundation also works with subject-matter experts on a contract basis. Finally, the Foundation's Disciplinary Commission and Appeal Tribunal are composed respectively of twelve and five members, who can be nominated to serve in a panel and carry out disciplinary proceedings.

How can victims seek help from the Foundation?

Any member of the gymnastics community who is or has been a victim of harassment and *l* or abuse may seek help by simply getting in touch with the Foundation, whether by phone, email or the reporting page of the website. The Foundation provides help and support free of charge.

Appendix E

The Foundation's 2020 Audited Financial Accounts



Lausanne, le 12 mai 2021 LC/vd - 3

Au Conseil de fondation de la FONDATION D'ETHIQUE DE LA GYMNASTIQUE

LAUSANNE

Rapport de l'organe de révision sur le contrôle restreint des comptes de l'exercice 2020

Mesdames, Messieurs,

En notre qualité d'organe de révision, nous avons contrôlé les comptes annuels (bilan, compte de résultat et annexe) pour l'exercice arrêté au 31 décembre 2020. Le contrôle restreint des indications de l'exercice précédent a été effectué par un autre organe de révision. Dans son rapport du 15 juin 2020, celui-ci a exprimé une opinion non modifiée.

La responsabilité de l'établissement des comptes annuels incombe au Conseil de fondation alors que notre mission consiste à contrôler ces comptes. Nous attestons que nous remplissons les exigences légales d'agrément et d'indépendance.

Notre contrôle a été effectué selon la Norme suisse relative au contrôle restreint. Cette norme requiert de planifier et de réaliser le contrôle de manière telle que des anomalies significatives dans les comptes annuels puissent être constatées. Un contrôle restreint englobe principalement des auditions, des opérations de contrôle analytiques ainsi que des vérifications détaillées appropriées des documents disponibles dans la fondation contrôlée. En revanche, des vérifications des flux d'exploitation et du système de contrôle interne ainsi que des auditions et d'autres opérations de contrôle destinées à détecter des fraudes ou d'autres violations de la loi ne font pas partie de ce contrôle.

Lors de notre contrôle, nous n'avons pas rencontré d'élément nous permettant de conclure que les comptes annuels ne sont pas conformes à la loi et aux statuts.

L'organe de révision FIDUCIAIRE SAUGY SA

Le réviseur responsable :

L. Chappuis, expert-réviseur agréé

Annexes: Comptes annuels 2020

Appendix E - The Foundation's 2020 Audited Financial Accounts

Balance sheet

ASSETS (CHF)	Notes	31.12.2020	31.12.2019
Current assets			
Cash & cash equivalents	4.0	310'890.81	669'272.41
Current investments	5.0	1'360'297.00	1'204'700.00
Account receivable	6.0	31'708.60	7'296.00
Prepayments	7.0	2'960.70	
Total current assets		1'705'857.11	1'881'268'41
TOTAL ASSETS		1'705'857.11	1'881'268'41
LIABILITIES	Notes	31.12.2020	31.12.2019
Current liabilities			
Operating creditors	8.0	31'564.60	24'049.68
Other short-term interest-bearing debts	9.0	38.04	
Accrued expenses	10.0	87'600.00	4'500.00
Total current liabilities		119'202.64	28'549.68
TOTAL LIABILITIES		119'202.64	28'549.68
Equity			
Foundation capital		2'000'000.00	2'000'000.00
Retained Profit/(Loss)		(147'281.27)	
Annual result		(266'064.26)	(147'281.27)
Total equity		1'586'654.47	1'852'718.73
TOTAL EQUITY		1'586'654.47	1'852'718.73
TOTAL LIABILITIES		1'705'857.11	1'881'268'41

The notes to the financial report are available on the Foundation's website.

Appendix E – The Foundation's 2020 Audited Financial Accounts

Income statement

IN CHF	Notes	31.12.2020	from 01.03.2019 to 31.12.2019
Reimbursement procedural fees		8'100.00	500.00
Fines		10'000.00	
Total revenues		18'100.00	500.00
Reversed fines		(10'000.00)	
Management fees		(166'561.90)	(108'937.50)
Investigation costs		(80'671.93)	
Legal fees		(9'300.10)	(2'667.35)
Disciplinary section		(31'762.15)	(5'158.85)
Foundation board		(23'686.61)	(28'571.58)
Management expenses		(466.00)	(665.25)
Staff charges		(105'007.70)	(1'021.68)
Office rental and maintenance		(7'223.67)	(6'195.06)
Property insurances		(1'186.20)	(1.175.85)
Office and administration costs		(2'112.33)	
Phone & internet		(1'597.80)	(118.80)
Accountancy and auditing fees		(8'623.70)	(4'500.00)
Incorporation legal fees		(1'400.00)	(7'111.85)
Communication costs		(2'900.10)	
Total operating expenses		(425'500.19)	(166'123.77)
Operating result		(434'400.19)	(165'623.77)
Financial income	11.0	173'633.00	20'845.70
Financial expenses	12.0	(5'297.07)	(2'503.20)
Financial results		168'335.93	18'342.50
ANNUAL RESULT		(266'064.26)	(147'281.77)

The notes to the financial report are available on the Foundation's website.



Photos courtesy of the Fédération Internationale de Gymnastique

Gymnastics Ethics Foundation

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